SPONSOR: Sen. Sokola & Rep. Baumbach
Sens. Bonini, Brown, Ennis, Gay, Hansen, Hocker, Lawson, Lockman, Lopez, Mantzavinos, S. McBride, Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sturgeon, Townsend, Walsh, Wilson; Reps. Bennett, Brady, Briggs King

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 26
AS AMENDED BY
SENATE AMENDMENT NO. 1
AND
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LIVESTREAMING BOARD MEETINGS OF THE UNIVERSITY OF DELAWARE, DELAWARE STATE UNIVERSITY, AND DELAWARE TECHNICAL AND COMMUNITY COLLEGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Amend Part V, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 90B. Livestreaming Board of Trustees Meetings of Public Institutions of Higher Education.

§ 9001B. Board of Trustees meetings; livestreaming requirements.

(a) For purposes of this section, "full Board of Trustees" means the full Board of Trustees for each of the following:

(1) University of Delaware, under § 5107 of this title.

(2) Delaware State University, under § 6505 of this title.

(3) Delaware Technical and Community College, under § 9105 of this title.

(b) Meetings of a full Board of Trustees must be available over the internet by livestream broadcast that meets all of the following:

(1) Streams audio and video of the meeting.

(2) Permits the public to hear all participants contemporaneously.

(c) A recording of a meeting livestreamed under subsection (b) of this section must be posted on a public website within a reasonable time after the meeting concludes and must remain on the website for at least 1 year.

(d) Notice of a full Board of Trustees meeting must include information on how the public can access the livestream broadcast of the meeting and a recording of the meeting.

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(e)(1) A technological failure that prevents, or a technological limitation that limits, public access otherwise required under paragraphs (b)(1) and (b)(2) of this section does not invalidate a meeting or an action taken at a meeting.

(2) Subsections (b) and (c) of this section do not require the livestreaming or recording of the portion of a full Board of Trustees meeting that is in an executive session under § 10004 of Title 29.

Section 4. This Act takes effect January 1, 2023.

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